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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/694,677	10/28/2003	Balkrishen Bhat	21251

000210
MERCK AND CO INC
P O BOX 2000
RAHWAY, NJ 070650907

CONFIRMATION NO. 9637

FORMALITIES LETTER



OC000000012743892

Date Mailed: 05/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

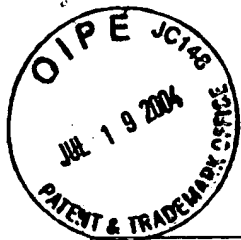
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Say

07/21/2004 RMBRANT 00000040 130755 10694677
01 FC:1051 130.00 DA



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Balkrishen Bhat, et al..

Serial No.: 10/694,677

Case No.: 21251

Filed: October 28, 2003

For: NUCLEOSIDE DERIVATIVES AS INHIBITORS OF RNA-DEPENDENT RNA VIRAL POLYMERASE

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS FO NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, mailed May 21, 2004, which is attached hereto, enclosed is a Declaration and Power of Attorney executed by the inventors.

Enclosed is a transmittal form authorizing payment of the \$130.00 surcharge. If there are any deficiencies, please also charge these to Merck Deposit Account number 13-2755.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Deux Date 7-16-2004

Respectfully submitted,

By

Philippe L. Durette, Reg. No. 35,125
Attorney for Applicants

MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065
Tel.: (732) 594-4568

Date: July 16, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

Patent Fee Manual, 2003 Edition, Annual Revision.

By Donna Brown Date 7-16-2004

TOTAL AMOUNT OF PAYMENT

\$130

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
SUBSTITUTE for PTO/SB/17(10-03) "FEE TRANSMITTAL for FY 2003"

Complete if Known

Application Number 10/694,677
Filing Date October 28, 2003
First Named Inventor Balkrishen Bhat, et al.
Examiner Name
Group Art Unit
Attorney Docket Number 21251

METHOD OF PAYMENT

☒ Deposit Account

Deposit Account Number

13-2755

Deposit Account Name

Merck & Co., Inc.

The Director is authorized to:

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	Utility filing fee	
1002	340	Design filing fee	
1004	770	Reissue filing fee	
1005	160	Provisional filing fee	

SUBTOTAL(1) \$0

2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims	20 ** =	0 x \$18 =	0
Independent Claims	3 ** =	0 x \$86 =	0
Multiple Dependent Claims		\$290 =	

**or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description
1202	18	Claims in excess of 20
1201	86	Independent claims in excess of 3
1203	290	Multiple dependent claim, if not paid
1204	86	**Reissue independent claims over original patent
1205	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL(2) \$0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	130
1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1251	110	Extension for reply within first month	
1252	420	Extension for reply within second month	
1253	950	Extension for reply within third month	
1254	1,480	Extension for reply within fourth month	
1255	2,010	Extension for reply within fifth month	
1401	330	Notice of Appeal	
1402	330	Filing a brief in support of an appeal	
1403	290	Request for oral hearing	
1452	110	Petition to revive - unavoidable	
1453	1,330	Petition to revive - unintentional	
1501	1,330	Utility issue fee (or reissue)	
1502	480	Design issue fee	
1460	130	Petitions to the Commissioner	
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	Submission of Information Disclosure Statement	
8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	Request for Continued Examination (RCE)	
Other fee (specify)			
Other fee (specify)			
SUBTOTAL(3)			\$130

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name

Philippe L. Durette

Signature

Date

07/16/2004

Reg. Number 35,125
Deposit Account User ID

IN DUPLICATE